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12 SUPERIOR COURT OF THE STATE OF CALIFORNIA
13 COUNTY OF SAN DIEGO
14

15 In re NATURAL GAS ANTI-TRUST CASES
16 I, II, III & IV

17 This Document Relates To:
18 THE PRICE INDEXING CASES ONLY
19
20

JUDICIAL COUNCIL
COORDINATION PROCEEDING NOS.
4221, 4224, 4226 AND 4228

**STIPULATION AND [PROPOSED]
ORDER SHORTENING TIME FOR
HEARING ON PRELIMINARY
APPROVAL OF SETTLEMENTS**

21 This Stipulation to Shorten Time for Hearing on Preliminary Approval of
22 Settlements (the "Stipulation") is made and entered into by and among the Class Plaintiffs and
23 (1) AEP Energy Services, Inc. ("AEP"), which has not entered into a settlement agreement with
24 Class Plaintiffs in this matter, (2) those defendants who have entered into settlement agreements
25 with Class Plaintiffs that have previously been approved by the Court, (the "Settled
26 Defendants"), and (3) those defendants who have entered into settlement agreements with Class
27 Plaintiffs that will be presented to the Court for preliminary approval, as provided for in this
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1 Stipulation (the "Settling Defendants," and, together with AEP, the Settled Defendants, and
2 Plaintiffs, the "Parties"). AEP and the Settled Defendants agree and request that the Court may
3 decide a motion for preliminary approval of the pending settlements with the Settling Defendants
4 without binding, or otherwise prejudicing, AEP or the Settled Defendants as to any findings or
5 determinations made with respect to any such approval.

6 WHEREAS, counsel for Class Plaintiffs have requested that AEP and the Settled
7 Defendants waive opposition to the preliminary approval motion in order to facilitate prompt
8 consideration of the present settlements.

9 WHEREAS, AEP has not completed its class certification discovery, but believes
10 that there are a number of valid grounds to deny certification of the requested classes for
11 purposes of litigation, while Class Plaintiffs believe that certification of the requested classes for
12 litigation purposes is appropriate.

13 WHEREAS, counsel for both Class Plaintiffs and AEP agree that the Court can
14 appropriately decide a motion for settlement class certification that would not be precedential
15 for, nor binding in connection with, the Court's later consideration of the motion for certification
16 of a class for litigation purposes.

17 NOW THEREFORE, the Parties agree and stipulate as follows:

18 AEP and the Settled Defendants shall not oppose the motion for preliminary
19 approval of the pending class action settlements, and the motion may be calendared for hearing
20 at the Court's earliest opportunity.

21 The Parties stipulate and agree that a decision approving any settlement or
22 certifying a class for settlement approval purposes will not prejudice AEP's opposition to the
23 motion for certification of a class or classes for litigation purposes, nor shall such a settlement
24 class certification decision (if any) be deemed a precedent, an estoppel or law of the case for
25 purposes of or in connection with consideration of a motion to certify a class or classes for
26 purposes of litigation as to AEP.

27 IN WITNESS WHEREOF, the Parties hereto have caused the Stipulation to be
28 executed, by their duly authorized attorneys or Liaison Counsel.

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1 DATED: March 5, 2007

By: /s/ Barry R. Himmelstein
Barry R. Himmelstein

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14 Reliant Energy, Inc. and on behalf of Settling
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ORDER

IT IS SO ORDERED.

The hearing on Class Plaintiffs' motion for preliminary approval of settlements shall be held on March 6, 2007 at 10:00 a.m. Pursuant to the foregoing Stipulation, there shall be no opposition or reply.

DATED: March 6, 2007


The Honorable Ronald S. Proge
Coordination Trial Judge